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RUEHDR/AMEMBASSY DAR ES SALAAM 0846
RUEHKM/AMEMBASSY KAMPALA 1567
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SIPDIS

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SUBJECT: CONGOLESE JOURNALIST RELEASED, EXPELLED

REF: KIGALI 195

¶1. (SBU) On March 21, Rwandan authorities released from custody Congolese journalist Idesbald Byabuze, in detention for approximately a month, and under investigation for a 2005 article criticizing the alleged Tutsi domination of the Hutu majority in Rwanda (reftel). At the central "1930" prison in Kigali, a local embassy employee observed Byabuze's departure in an automobile under the supervision of four police officers, who were escorting Byabuze to the DRC border at Cyangugu/Bukavu. According to a local journalist given access to Byabuze inside the prison, a representative of the Prosecutor General handed Byabuze a letter officially expelling him from Rwanda. Byabuze's attorney later confirmed for us Byabuze's departure from the country at the Cyangugu border post.

¶2. (SBU) Deputy Prosecutor General Alphonse Hitiyaremye told polchief later in the day that his office had "exercised its prosecutorial discretion" in deciding "not to pursue Byabuze at this time." Rather, the decision had been taken to expel the journalist, he said. Hitiyaremye noted that the journalist had not been formally charged with any offense during his detention, but that his office had reviewed the submissions of the police and its own investigators, and determined "not to take the opportunity" to prosecute.

¶3. (SBU) Comment. Hitiyaremye had earlier indicated the likelihood that Byabuze had violated the Rwandan divisionism statute in his explicit ethnic attack on the policies and composition of the Kagame government (reftel). The GOR appears to have decided that expulsion rather than prosecution is the better policy choice, in regard to a Congolese journalist easily escorted to the DRC border. End comment.
ARIETTI